

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA  
MUSKOGEE DIVISION

VIRGIL L. BONHAM, JR.

Plaintiff,

VS.

BNSF RAILWAY COMPANY,

Defendant.

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C. A. CIV 10-218-FHS

STIPULATION FOR DISMISSAL

Plaintiff and Defendant file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(ii)/

1. VIRGIL L. BONHAM, JR. is Plaintiff. BNSF RAILWAY COMPANY is Defendant.

2. On June 21, 1010 Plaintiff sued Defendant.

3. Plaintiff moves to dismiss this suit.

4. Defendant, who has answered, agrees to the dismissal.

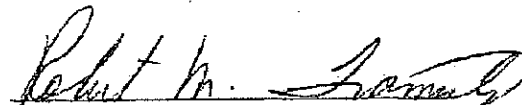
5. This case is not a class action, and a receiver has not been appointed.

6. This action is not governed by any statute of the United States that requires an order of the court for dismissal of this case.

7. Plaintiff has not dismissed an action based on or including the same claim or claims as those presented in this suit.

8. Each party is to bear its own costs.

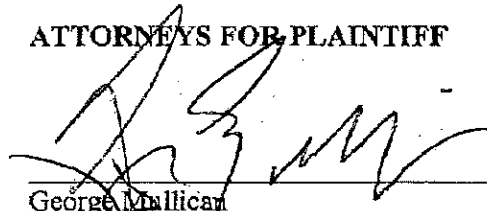
APPROVED TO FORM:

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ATTORNEY FOR DEFENDANT

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ORDER APPROVING STIPULATION FOR DISMISSAL

On this \_\_\_\_ day of \_\_\_\_\_, 2011 came on to be considered the Stipulation for Dismissal according to Federal Rule of Civil Procedure 41(a)(1)(ii), between Plaintiff, VIRGIL L. BONHAM, JR. and Defendant, BNSF RAILWAY COMPANY without prejudice. The Court after considering the Stipulation of the parties, does hereby Dismiss the above-styled case without prejudice, with each party to bear its own costs.

SIGNED THIS \_\_\_\_ day of \_\_\_\_\_, 2011

HONORABLE FRANK SEAY